

441—112.3(237) Application for license.

112.3(1) *Right to apply.* Any adult individual or agency has the right to make application for a license.

a. Persons wishing to care for children through a public or private agency shall make application through that agency.

b. Persons wishing to care for children directly placed by parents, guardians, or other relatives shall make application to the department of human services.

112.3(2) *Decision to operate a facility.* When an applicant has reached a decision to operate a facility for child foster care, the applicant shall complete Form 470-0689, Foster Family Home License Application or Form 470-0723, Application for License or Certificate of Approval. Requests for renewal shall be made on the same form.

112.3(3) *Withdrawal of an application.* The applicant shall report the withdrawal of an application promptly to the department.

112.3(4) *Evaluation of the application.* Each application will be evaluated by the department to ensure that all standards are met.

a. Before it results in adverse action, a founded abuse report on a director, a sole proprietor involved in the facility's operation, or any facility staff shall be evaluated by the department to determine if the abuse merits prohibition of employment or licensure.

b. The department shall evaluate all founded child abuse on a case-by-case basis. Considerations shall include, but not be limited to:

- (1) The facility's response (e.g., immediate termination of involved staff).
- (2) Whether the abuse was an isolated incident or is symptomatic of a broader, systemic problem.

112.3(5) *Reports and information.* Requested reports and information relevant to the licensing determination shall be furnished to the department by the applicant.

112.3(6) *Applications for renewal.* Applications for renewal shall be made to the department at least 30 but no more than 90 days before the license expires. The department shall approve or deny an application for license renewal through the same process as that used for the original application.

112.3(7) *Notification.* Facilities shall be notified of approval or denial within 90 days of application or reapplication.

This rule is intended to implement Iowa Code section 237.5.